

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (Currently amended) A thermal wall system comprising:

a top track including a web in an approximately horizontal plane, a first flange, and a second flange, the flanges of the top track extending only downward from the web of the top track at approximately right angles to the web of the top track;

a top plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange, and a second flange, the flanges of the top plate extending only downward from the web of the top plate at approximately right angles to the web of the top plate, wherein the top plate is disposed in the top track such that the respective webs and first flanges of the top track and top plate are in direct contact ~~close and complementary registration~~ and a longitudinal opening is formed between the second flanges of the top track and top plate;

a bottom track including a web in an approximately horizontal plane, a first flange, and a second flange, the flanges of the bottom track extending only upward from the web of the bottom plate at approximately right angles to the web of the bottom track;

a bottom plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange, and a second flange, the flanges of the bottom plate extending only upward from the web of the bottom plate at approximately right angles to the web of the bottom plate, wherein the bottom plate is disposed in the

bottom track such that the respective webs and first flanges of the bottom track and bottom plate are in direct contact ~~close and complementary registration~~ and a longitudinal opening is formed between the second flanges of the bottom track and bottom plate; and vertical studs mounted to and extending between the top plate and bottom plate, wherein the top track and bottom track oppose each other, the top plate and bottom plate oppose each other, and the longitudinal openings oppose each other.

2. (Original) The thermal wall system of claim 1, further comprising rigid insulation generally distributed about a plane and disposed between the top and bottom tracks, including two approximately horizontal edges respectively disposed in the longitudinal openings and two approximately vertical edges.

3. (Currently amended) The thermal wall system of claim 2, further comprising a vertical thermal framing component extending between the top and bottom plates, the thermal framing component including an elongated planar web perpendicular to the rigid insulation plane and projections from each edge at right angles to the web in both directions, such that a slot is formed with the web on each side of the web between the projections and an approximately vertical edge of the rigid insulation is disposed in the slot.

4. (Previously presented) The thermal wall system of claim 3, further comprising a plurality of thermal framing components, wherein at least one thermal framing component is interposed between adjacent studs.

5. (Original) The thermal wall system of claim 3, further comprising a plurality of thermal framing components mounted to the second flange of the top and bottom plates.
6. (Original) The thermal wall system of claim 3, further comprising a plurality of thermal framing components mounted to studs that are steel or wood.
7. (Canceled) The thermal wall system of claim 3, wherein one of the vertical edges of the rigid insulation is disposed in one of the slots of the thermal framing component.
8. (Previously presented) The thermal wall system of claim 3, further comprising approximately horizontal blocking between the vertical studs and mounted to the studs approximately half way between the top plate and bottom plate, wherein the thermal framing component is mounted to the blocking.
9. (Previously presented) The thermal wall system of claim 3, wherein the elongated planar web has a longitudinal axis and comprises a first edge parallel to the longitudinal axis, a second edge parallel to the longitudinal axis, a first side, and a second side, and wherein the projections comprise at least:
  - a first planar tab extending from the first edge at approximately a 90 degree angle from the first side;
  - a second planar tab extending from the first edge at approximately a 90 degree angle from the second side in a direction opposite that of the first planar tab; and

a third planar tab extending from the second edge at approximately a 90 degree angle from the second side in a direction opposite that of the first planar tab, wherein the third planar tab is in longitudinal registration with the first planar tab and wherein the second planar tab is longitudinally adjacent to the first planar tab.

10. (Previously presented) The thermal wall system of claim 2, further comprising a thermal end cap including an approximately vertical web with flanges projecting from each edge at approximately right angles to one side of the web, wherein one approximately vertical edge of rigid insulation is disposed between the flanges.

11. (Currently amended) A thermal wall system comprising:

a top track including a web in an approximately horizontal plane, a first flange, and a second flange, the flanges of the top track extending only downward from the web of the top track at approximately right angles to the web of the top track;

a top plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange, and a second flange, the flanges of the top plate extending only downward from the web of the top plate at approximately right angles to the web of the top plate, wherein the top plate is disposed in the top track such that the respective webs and first flanges of the top track and the top plate are in direct contact ~~close and complementary registration~~ and a longitudinal opening is formed between the second flanges of the top track and the top plate;

a bottom track including a web in an approximately horizontal plane, a first flange, and a second flange, the flanges of the bottom track extending only upward from the web of the bottom track at approximately right angles to the web of the bottom track;

a bottom plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange; and a second flange, the flanges of the bottom plate extending only upward from the web of the bottom plate at approximately right angles to the web of the bottom plate, wherein the bottom plate is disposed in the bottom track such that the respective webs and first flanges of the bottom track and the bottom plate are in direct contact ~~close and complementary registration~~ and a longitudinal opening is formed between the second flanges;

vertical studs mounted to and extending between the top plate and bottom plate;  
vertical thermal framing components interposed between the studs and extending between the top and bottom plates, each including:

an elongated planar web including a longitudinal axis, a first edge parallel to the longitudinal axis, a second edge parallel to the longitudinal axis, a first side, and a second side;

a first planar tab extending from the first edge at approximately a 90 degree angle from the first side;

a second planar tab extending from the first edge at approximately a 90 degree angle from the second side in a direction opposite that of the first planar tab;

a third planar tab extending from the second edge at approximately a 90 degree angle from the second side in a direction opposite that of the first planar tab, wherein the second and third planar tabs form a first slot with the web; and

a fourth planar tab extending from the second edge at approximately a 90 degree angle from the first side, wherein the first and fourth planar tabs form a second slot with the web,

wherein the first and third planar tabs are in longitudinal registration, and wherein the second and fourth planar tabs are in longitudinal registration and are longitudinally adjacent to the first and third planar tabs; and

first and second a plurality of rigid insulation sheets disposed between the top and bottom tracks, each sheet including two approximately horizontal edges respectively disposed in the longitudinal openings and two approximately vertical edges, ~~each of which is disposed in a slot~~, wherein an approximately vertical edge of the first rigid insulation sheet is disposed in the first slot and an approximately vertical edge of the second rigid insulation sheet is disposed in the second slot,

wherein the top track and bottom track oppose each other, the top plate and bottom plate oppose each other, and the longitudinal openings oppose each other.

12. (Original) The thermal wall system of claim 11, further comprising a thermal end cap including an approximately vertical web with flanges projecting from each edge at approximately right angles to one side of the web, wherein one approximately vertical edge of rigid insulation is disposed between the flanges.

13. (Canceled)

14. (Currently amended) A method of assembling a thermal wall system, comprising:

providing a top plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange; and a second flange, the flanges extending only downward from the web of the top plate at a right angle to the web of the top plate;

providing a bottom plate including a web in an approximately horizontal plane, and only two flanges, the flanges including a first flange; and a second flange, the flanges extending only upward from the web of the bottom plate at a right angle to the web of the bottom plate;

providing approximately vertical studs;

mounting one end of at least two studs to the top plate and the other end to the bottom plate;

providing a top track having a web in an approximately horizontal plane, an interior flange, and an exterior flange, the flanges extending only downward from the web of the top track at a right angle to the web of the top track;

providing a bottom track having a web in an approximately horizontal plane, an interior flange, and an exterior flange, the flanges extending only upward from the web of the bottom track at a right angle to the web of the bottom track;

mounting the top track or bottom track to the respective top plate or bottom plate, wherein the respective plate is disposed in the selected track such that the plate and track

respective webs and first flanges are in direct contact ~~close and complementary registration~~ and a first longitudinal opening is formed between the second flanges; providing at least one rigid insulation sheet to fit between the top and bottom track and corresponding longitudinal openings; inserting one horizontal edge of the rigid insulation sheet into the first longitudinal opening;

mounting the remaining track to the respective remaining plate, wherein the remaining plate is disposed in the remaining track such that the remaining plate and remaining track respective webs and first flanges are in direct contact ~~close and complementary registration~~ and a second longitudinal opening is formed between the second flanges, wherein the other horizontal edge of the rigid insulation sheet is inserted in the second longitudinal opening.

15. (Currently amended) The method of assembling a thermal wall system of claim 14, further comprising:

providing at least two vertical thermal framing components, each including a web and projections from each edge at right angles to the web in both directions, such that a slot is formed that is defined by the web and the projections on each side of the web of the thermal framing component;

mounting the thermal framing components to the top and bottom plates before mounting the top and bottom tracks to the respective plates; and

inserting each approximately vertical edge of the rigid insulation sheet into at least one thermal framing component slot.



16. (Previously presented) The method of assembling a thermal wall system of claim 15, wherein providing at least two thermal framing components comprises providing thermal framing components including:

an elongated planar web including a longitudinal axis, a first edge parallel to the longitudinal axis, a second edge parallel to the longitudinal axis, a first side, and a second side;

a first planar tab extending from the first edge at approximately a 90 degree angle from the first side;

a second planar tab extending from the first edge at approximately a 90 degree angle from the second side in a direction opposite that of the first tab; and

a third planar tab extending from the second edge at approximately a 90 degree angle from the second side in a direction opposite that of the first tab,

wherein the third tab is in longitudinal registration with the first tab and wherein the second tab is longitudinally adjacent to the first tab.

17. (Previously presented) The method of assembling a thermal wall system of claim 15, further comprising:

providing horizontal blocking;

mounting the horizontal blocking between the vertical studs approximately half way between the top plate and bottom plate; and

mounting the thermal framing components to the blocking.

18. (Previously presented) The method of assembling a thermal wall system of claim 14, further comprising:

providing a thermal end cap comprising a vertical web with opposing flanges projecting from each edge at right angles to one side of the web; and  
mounting the thermal end cap on a vertical edge of a rigid insulation sheet, wherein the edge of the insulation is between the flanges.

19. (New) The thermal wall system of claim 1, wherein the surfaces of the interior flange of the top track and the interior flange of the top plate are in direct contact, and the surfaces of the web of the top track and the web of the top plate are in direct contact, and wherein the surfaces of the interior flange of the top track and the interior flange of the top plate are in direct contact, and the surfaces of the web of the top track and the web of the top plate are in direct contact.

20. (New) The thermal wall system of claim 19, wherein the top plate is substantially nested in the top track, and the bottom plate is substantially nested in the bottom track.